

12/12/2003

09:41

TAKEDA PHARMACEUTICALS → 817038729306

NO.029 0001

Elaine M. Ramesh, Ph.D.
Patent Counsel
847-383-3391



TAKEDA PHARMACEUTICALS NORTH AMERICA, INC.

RECEIVED
CENTRAL FAX CENTER

DEC 12 2003

12/12/03

OFFICIAL

To: Examiner R. Covington Art Unit 1625

Fax: 703-872-9306

Re: U.S. Patent Application Serial No. 10/089,961

No. Pgs.: 2

Examiner Covington:

I filed a response for U.S. Patent Application Serial No. 10/089,961 on 11/21/03. On page 30 two numbers got transposed.

Please find enclosed page 30 of the response indicating how the argument should have read.

Kindly consider this correction when reviewing the response.

Sincerely,

Elaine M Ramesh

The Examiner has made specific reference to p. 209, Example 3a in Table 4 of the cited reference, as a basis for the rejection. In 3a, both nitrogens of the ureido moiety are unsubstituted, wherein the compounds of the present invention have one ureido nitrogen which is always substituted, by virtue of R² in general formula I, in independent claims 1 and 18. In addition, the carbon chain linker (central portion of the molecule) in 3a is four carbons long, whereas it is only three carbons long in the presently claimed compounds of claims 1 and 18. These differences render the present invention non-obvious over the cited art with respect to the cited art compound 3a, as there is no incentive for making the required modifications.

Claim 11 has been cancelled. Claims 4-7, 10 and 12-16 depend upon claim 1. Applicants submit that the more specific dependent claims are also rendered non-obvious for the reasons provided above.

Moreover, Applicants respectfully request the Examiner's consideration of the compounds of Table 2, on page 158 of the cited reference. Even accounting for these additional compounds, Applicants assert that the aspects of their invention set forth in the pending claims as amended are non-obvious.

In particular, as stated above, the central linker of the compounds in the cited art is ~~three~~^{four} carbons long, while the presently claimed compounds have a linker ~~four~~^{three} carbons long. Moreover, by this amendment n has been limited to zero in the pending claims.

Applicants assert that there is no teaching or suggestion of their invention, as set forth in the pending claims as amended by the cited art.

Applicants note that claim 17 has been made independent by this amendment. The structures of the remaining compounds recited in claim 17 are provided below, to assist the Examiner's evaluation of the claims.